

Memorandum



Date: June 7, 2010

To: Chairperson and Members
Planning Advisory Board

From: Jorge M. Fernandez, Jr.
Program Coordinator, Office of Strategic Business Management

Subject: Staff Report for Proposed Boundary Change to the Town of Medley



Background

On August 21, 2003, the Village of Virginia Gardens submitted a boundary change application to the Miami-Dade County Clerk of the Board. The application was referred to and accepted by the Miami-Dade County Board of County Commissioners (BCC) at the September 23, 2003 BCC meeting and was forwarded to the Office of Strategic Business Management (OSBM) for review and further processing, as required by the Miami-Dade County Code (Code). Between November of 2003 and 2004, the municipalities of Miami Springs, Medley and Doral filed annexation applications, the proposed boundaries of which conflicted with those of Virginia Gardens and each other. The BCC deferred the applications of Miami Springs, Medley and Doral asking that the four municipalities negotiate non-conflicting boundaries. In 2009, the municipalities reached an agreement and subsequently began to file new annexation applications with the Clerk of the Board. The applications for Miami Springs, Medley and Doral were accepted by the BCC from June through March of 2010. The Virginia Gardens application was forwarded to OSBM.

Analysis

The proposed annexation area is approximately 1,778 acres or 2.78 square miles. The first of the three areas is generally bounded on the north by NW 90th Street, on the south by NW 74th Street, on the east by NW 87th Avenue and on the west by NW 97th Avenue. The second of the three areas is generally bounded on the north by NW 122nd Street, on the south by NW 106th Street, on the east by NW 107th Avenue and on the west by the Florida Turnpike. The third area is generally bounded on the north by NW 74th Street, on the south by NW 58th Street, on the east by SR 826 (Palmetto Expressway) and on the west by NW 87th Avenue. This area is within the Urban Development Boundary (UDB).

Pursuant to Section 20-6 of the Code, the Office of Strategic Business Management submits this report for your review and recommendation.

Police

According to the application, the Town of Medley Police Department can better respond to issues related to the annexation area, as the officers are trained to respond to issues related to industrial, warehouse and commercial areas. The Department consists of 36 police officers with 36 vehicles, motorcycle patrol and general investigation unit. The Town's main police headquarters are located at 7331 NW 74th Street and has two substations located at 10200 NW 116th Way and at 7777 NW 72nd Avenue. According to the Town, the police department can provide a better and faster response time than is currently provided by the County.

The following Miami-Dade Police Department (MDPD) tables represent all calls for uniform and non-uniform police calls within the proposed area for calendar year 2009.

Year	Criteria	All Calls	Emergency Calls (Code 3)	Priority Calls (Code 2)	Routine Calls
2009	Total Calls	2890	65	44	2781

Code 3: Emergency call with actual threat or actual danger, responding unit is authorized to drive 20 MPH over the posted speed limit.

Code 2: Priority call with potential threat or potential danger, responding unit is authorized to drive 10 MPH over the posted speed limit.

Year	Part I Crimes	Part II Crimes	Total
2009	242	92	334

Part I Crimes: Uniform Crime Report (UCR) Part I Offenses are those crimes reported to MDPD in the following classifications; murder and non-negligent manslaughter, robbery, aggravated assault, forcible rape, motor vehicle theft, larceny, burglary and arson. The UCR is a standard method of reporting crime, administered by the Federal Bureau of Investigations (FBI) through the UCR Program. The classification for the offense is based on a police investigation, as opposed to determinations made by a court, medical examiner, jury, or other judicial body.

Part II Crimes: All crimes not covered under Part I Crimes.

Fire and Rescue

Existing and Planned Fire Rescue Stations

The proposed Medley annexation area is within the following station territories:

Station 46, Medley, located at 10200 NW 116th Way. This station is equipped with a Basic Life Support Aerial, a Technical Rescue, and a Battalion; totaling seven (7) firefighters/paramedics, 24 hours a day, seven days a week.

Station 45, Doral, located at 9710 NW 58th Street. The station is equipped with an Advanced Life Support Engine and a temporary Rescue; totaling seven (7) firefighter/paramedics, 24 hours a day, seven days a week.

Station 17, Virginia Gardens, located at 7050 NW 36th Street. The station is equipped with an Advanced Life Support Aerial, a Hazardous Materials Unit, and a Battalion; totaling seven (7) firefighter/paramedics, 24 hours a day, seven days a week.

Fire Rescue stations within a three (3) mile radius include:

Station 28, Hialeah Gardens, located at 8790 NW 103rd Street. This station is equipped with a Rescue with Hazardous Materials capabilities; totaling three (3) firefighter/paramedics, 24 hours a day, seven days a week.

Station 35, Miami Springs, located at 201 Westward Drive. The station is equipped with a Rescue and an Advanced Life Support Engine; totaling seven (7) firefighters/paramedics, 24 hours a day, seven days a week.

Planned Stations:

In an effort to reduce the travel time to incidents in the area, the Miami-Dade Fire Rescue Department (MDFR) plans to build the following stations:

Station 69 – Doral North, located at 11151 NW 74 Street.

Station 68 – Dolphin, located at NW 112 Avenue and 17 Street.

Station 75 – Beacon Lakes, located at NW 17 Street and 129 Avenue.

Service Delivery

In calendar year 2009, there were a total of 1,472 alarms within the proposed annexation area with an average travel time of 6:46 minutes. There were a total of 644 Life Threatening calls with an average travel time of 6:02 minutes.

As a condition of annexation, the Town of Medley through an interlocal agreement with the County, shall agree that the proposed annexation area remain within the Miami-Dade Fire Rescue District in perpetuity.

Miami-Dade Fire Rescue Department Proposed Annexation Area - Calendar Years 2007-2008-2009						
	Travel Time Averages			Call Volume		
	2007	2008	2009	2007	2008	2009
Total Alarms	06:57	07:15	06:46	1596	1592	1472
Life Threatening Emergencies	06:04	06:28	06:02	629	589	644
Non Life Threatening Emergencies	07:43	07:43	07:15	306	241	238
Other Miscellaneous	07:15	07:18	07:10	305	360	261
Other Fires	07:49	08:15	07:39	332	379	311
Structure Fire	05:22	05:12	04:42	24	23	18

Water and Sewer

The Medley proposed annexation area is within the Miami-Dade Water and Sewer Department's (WASD) water and sewer service area. Requests for future water and sewer service in the annexation area within the UDB should be directed to WASD. Adequacy and capacity of the County's water and sewer systems are dependent upon the type and timing of the development or redevelopment proposed within the annexation areas. The annexation would have no impact on WASD's ability to provide services to the remaining unincorporated areas in the vicinity.

There are no proposed capital projects, including General Obligation Bond (GOB) projects in the area at this time. There are no water and sewer Facilities of Countywide Significance in the area.

Solid Waste

The Town of Medley proposed annexation area includes some residential and industrial land uses. The proposed annexation area is within the Department of Solid Waste Management's (DSWM) collection service area and in accord with Ordinance 96-30 the Department would continue to provide

collection service to residential units to the extent that such development exists or takes place in the future. In the event the Town would develop any of the annexation area as residential, the County would retain the responsibility for the provision of waste collection service unless the Town and County enter into a twenty year interlocal agreement for delegation of waste collection authority.

Other Comments:

The Town annexation application did not provide information on the levels of service in the area. The majority of land use within the annexation area is industrial, therefore the expected amount of residential waste is limited.

Department of Environmental Resources Management (DERM)

Potable Water

Section 31-52-40:

The Town of Medley proposes that water service will most likely be provided by WASD in areas of existing service, and may alternatively be served from a City of Medley Water and Sewer water mains in parts of the section adjacent to existing Medley water lines.

Section 9-53-40:

Medley proposes that water service will be provided by WASD in areas of existing lines, and that Medley will provide service in area adjacent to the existing Medley service area. At present there are no existing facilities in this section with water service. WASD currently has a 36-inch water main located along the south edge of the section.

Section 15-53-40:

Most of the properties in this section are currently receiving water service from WASD. Medley expects that this will continue should the annexation be approved.

Section 14-52-40:

Medley currently supplies water service to the small part of this section that is proposed for annexation. Medley assumes that this service will continue after annexation.

The source of water supply for this area is the Hialeah/Preston Water Treatment Plant. This plant is owned and operated by the Miami-Dade Water and Sewer Department, which at this time has sufficient capacity to provide current water demand. Water produced by this plant meets the required Primary Drinking Water Standards.

Sanitary Sewer

Section 31-52-40:

Wastewater service currently in the area is provided by privately permitted pump stations that pump to the Medley sewer system.

Section 9-53-40:

Medley proposes that wastewater service will be provided by WASD in areas of existing lines, and that Medley will provide service in area adjacent to the existing Medley service area. At present there are no existing facilities in this section with water or sewer service. WASD currently has a 20-inch force main located along the south edge of the section.

Section 15-53-40:

Most of the properties in this section are currently receiving sewer service from WASD. Medley expects that this will continue after annexation. The sewer flow in the section runs to pump stations 30-0118, 30-0196, 30-0198, and 30-0201.

Section 14-52-40:

Medley currently supplies wastewater service to the small part of this section that is proposed for annexation. The sewer flow from this area flows to pump station 22-100. Medley assumes that this service will continue after annexation.

The flows from all the pump stations are directed to the North District Wastewater Treatment Plant. The wastewater treatment plant is owned and operated by WASD. The pump stations in the proposed annexed area are operating within the mandated criteria set forth in the First Partial Consent Decree. At this time the North District Wastewater Treatment Plant does have sufficient capacity to treat current discharge.

Wellfield Protection Areas

Section 31-52-40:

A portion of this proposed annexation area is located within the basic travel time of the Northwest Wellfield Protection Area.

Section 15-53-40:

The eastern edge of this proposed annexation area is located within the maximum travel time of the Hialeah-Preston Wellfield Protection Area.

Section 14-52-40:

The part of this proposed annexation area is within the average and the maximum travel time of the Hialeah-Preston Wellfield Protection Area.

Stormwater Management

Portion of the proposed annexation area is located within Flood Zone AE-6, which is a flood plain, as per FEMA's definition of the 100 year flood event. Flooding may occur in this area up to an elevation of 6.0 feet above mean sea level. Therefore, all new construction in this Zone shall have a minimum floor elevation as required by FEMA.

The following secondary canals (County Canals) and/or canal interests are within the proposed Incorporation Area:

- The Russian Colony Canal in Section 31-52-40
- The 58 Street Canal in Section 15-53-40.

It is the responsibility of the Town to prohibit any construction within any of the canal reservations, canal easement or canal right-of-ways without prior obtaining a DERM written approval. Furthermore, all secondary canals within the service area of the Town shall require a canal maintenance agreement between the Town and the County. This allows the Miami-Dade County's Public Works Department to continue the maintenance activities within the above mentioned canals.

A permit from the Water Control Section of DERM is required prior to the Town issuing any permits or work within any canal limits, or storm discharge to an open body of water, i.e. canal, lakes, etc.

Portions of the proposed annexation area are located within Basin "B" in Section 31-53-40, where Cut & Fill requirements are in effect. A stormwater management area shall be set aside for all new developments as required by Chapter 24 of the Miami-Dade County Code. All new developments within Basin "B" must obtain approval from the Water Control Section of DERM prior to obtaining building permits. Section 31-53-40 is located within the East Turnpike Wetland Basin, where all new development requires a stormwater drainage system permit called an Environmental Resources Permit, which will reduce potential flooding and improve water quality of stormwater runoff. This permit is overseen by the South Florida Water Management District.

Additionally, a portion of the proposed annexation area in Section 09-53-40 is within the Lowell Dunn Company Lake fill Project where contamination has been documented in some areas of the landfill. Therefore, all future stormwater management systems shall require DERM review and approval prior to the Town issuing building permits.

Stormwater Utility (SWU) Program and Fees

At the time of approval of the proposed annexation, all improved properties in the proposed annexation area will be paying a stormwater utility fee to Miami-Dade County (County). This fee is used to administer stormwater management programs throughout the Unincorporated Municipal Service Area (UMSA). It is expected that these stormwater accounts would immediately become part of the Medley service area when the annexation is formally approved.

If stormwater utility accounts in the annexed area are billed through WASD, it will be the responsibility of Medley to negotiate with WASD to continue or modify an existing agreement.

Medley must also pay its pro-rata share of the debt service on the 1999 and 2004 Stormwater Utility Revenue Bonds for the proposed annexation area. Payment to the County for the Medley debt service on these bonds will initiate immediately upon annexation. Actual costs for the above will be determined at the time of annexation and billed independently or collected through a WASD agreement.

Drainage Repair and Maintenance

A review of the County's Water Control Plan reveals secondary canal(s) that provide a drainage service to the proposed annexation area including, but not limited to the Russian Colony Canal, and the N.W. 58 Street Canal. A modification to the existing interlocal agreement for Stormwater Management between Medley and the County may be required.

A cost-share for FEMA or other federally funded projects may also be necessary, if such projects have been constructed, are under construction, or are planned for the proposed annexation area.

Drainage Permitting

All new development requires that drainage systems be provided as part of the project. The objective of these systems is to reduce pollution in stormwater runoff, and reduce flooding impacts to area residents.

DERM has received delegated authority to issue permits for the South Florida Water Management District, through issuance of the Environmental Resources Permit (ERP). Jurisdiction to require an ERP is countywide, and is dependent upon the size of the development. Authority and attendant permits to allow construction of an overflow outfall to a body of water is also countywide, as is performing drainage works in County rights-of-way.

The above requirements and authority would exist in the annexed area as it currently does in the Medley.

National Flood Insurance Program (NFIP)

The NFIP is a program wherein the Federal Emergency Management Agency (FEMA) agrees to subsidize flood insurance policies for residents of a community, if the community agrees to enforce minimum flood protection standards.

In 1993, FEMA mandated that all incorporated areas in Miami-Dade County regulate their own floodplain management ordinance and conduct separate programs. Therefore, when a municipality is incorporated, FEMA requires the municipality to apply to become an NFIP community within six months of incorporation. A later annexation would add the annexed area to the existing community.

Medley would need to report to FEMA, as part of its FEMA Biennial Report, that the new annexed area has changed Medley's Municipal boundaries.

Stormwater Management Master Plan

Miami-Dade County is undertaking a comprehensive effort to map the entire unincorporated area of the County to assess its drainage needs. The County is divided into drainage basins, which are then modeled to determine what drainage is needed for each area now and in the future. By planning for future drainage needs, the County can ensure that the level of flood protection service provided to residents is maintained.

Although the County cannot map and propose drainage projects in incorporated areas, County roads lie within incorporated boundaries. In these areas, the County will model the basins where these roads exist, using the best available data provided by the municipalities. Therefore, the quality of the modeling for these County roads may be limited, depending on the information provided by the municipalities. County engineers will request from Medley staff any data that would assist in modeling these areas. Cooperation between the Medley and the County to share this data is critical. The data and models created have other uses besides the County's master plan, such as the periodic updates of the Flood Insurance Rate Maps (FIRM) that benefit the Medley as well as County residents.

National Pollutant Discharge Elimination System (NPDES)

NPDES is a nationwide permit program that has an objective of controlling pollution that is inherent in stormwater runoff. NPDES started as a federal program, and has now been delegated to the State of Florida. Municipalities must apply to and receive from the state a permit that outlines best management programs designed to reduce the pollution in stormwater runoff. These stormwater management programs can consist of sampling programs, educational programs, street sweeping and drainage maintenance, and various other best management programs.

Miami-Dade County's NPDES permit is a joint permit with 32 co-permittees (including municipalities) with Miami-Dade County as the lead agency. Because sampling of stormwater runoff is required, the County performs the sampling and all the parties to the permit cost-share the monitoring costs.

A review of permit records reveals that the Medley is currently a co-permittee in the County's joint permit. Therefore, the presence of any outfalls within the annexed area would change the Medley cost-share percentage contribution. There is also a permit fee that Medley pays

annually to the State of Florida for the NPDES permit. The amount of this permit fee may increase if the annexation is approved.

Transfer of Roads

Certain County roads located within the proposed annexation area may need to be transferred to Medley. This is accomplished through an interlocal agreement. This agreement would outline the subject roads, various road-related services, and the responsibilities of Medley and the County for these services. Because County Stormwater Utility funds are used to maintain drainage systems in the County rights-of-way and roads, the Water Management Division must be consulted for comments.

Hazardous Waste

A review of DERM files indicates that there are records of current contamination assessment or remediation issues within the area proposed for annexation as follows:

1. Tarmac (Washstand and Materials Storage), IW-408/F-7757. This contaminated site has been referred to enforcement.
2. Tarmac America, Inc. (White Plant AST), IW-408/F-7757. This contaminated site has been referred to enforcement.
3. Tarmac America, Inc., IW-408/F-7757. This contaminated site has been under assessment.
4. Tarmac America, Inc. (Use 9500103), UT-1276/F-7757. This contaminated site is currently under assessment.
5. Tarmac Cement Plant (FAC ID# 9500104), UT-1276/F-7757. This contaminated site has been referred to enforcement.
6. Tarmac Mobile Equipment Garage (MEB), UT-1276/F-7757. This contaminated site is in a state funded program awaiting allocation of funds for cleanup.

Additionally, there are records of current contamination assessment or remediation issues at the following properties:

1. Lowell Dunn Company Lakefill Project, Generation Three, Inc., (NW 87 Ave/NW 74 St), SW-1430/F-19276 has records of contamination associated with disposal of inappropriate waste material.
2. Florida Quality Fence, Inc., Bunnell Foundation Inc, 7801 NW 66 St., UT-1757/F-6339, has records associated with petroleum contamination. This contaminated site is in a state funded program awaiting allocation of funds for cleanup.
3. The Zack Co/Solo Printing, 7860 NW 66 St., UT-1474/F-7889 has records associated with petroleum contamination. This contaminated site is in a state funded program awaiting allocation of funds for cleanup.
4. Mathews Dump, 8130 NW 74 St., SW-1261/F-4874 is an uncontrolled dump used prior to the time when landfill operations were required to control the type of waste disposed and prohibit the disposal of hazardous materials and waste.

It should also be noted that there are records of current contamination assessment or remediation issues on the following abutting properties.

1. Abutting Folio # 30-3009-001-0030 to the south is the NW 58 Street Landfill, Superfund Site, 8831 NW 58 St., SW-1373/F-10545 (IWP-274/F-10545). This is a closed landfill in a monitoring only program.
2. Abutting to the southwest is the Resources Recovery Facility, 6990 NW 97 Ave., UT-2054/F-8296. This facility has records associated with petroleum contamination and is in a state funded program awaiting allocation of funds for cleanup. Additionally, it is in a monitoring only program associated with leachate from an ash landfill (SW -1012/F-8296).

There are historical records of contamination assessment or remediation issues associated with non-permitted sites within the area proposed for annexation. Kelly Tractor/General Container, 5900 NW 84 Ave., HWR-198/F-15180 has historical records associated with petroleum contamination and Folio # 30-3009-001-0030 to the west is Vulcan Material Co. (Lot 16), NW 107 AVE/NW 74 ST, UT-2516/F-8607 abutting the proposed annexation area also has historical records associated with petroleum contamination.

No portion of the area proposed for annexation is within an area known to be saltwater intruded based on the 1995 USGS 1,000 ppm isochlor line, which approximates the inland extent of saltwater intrusion at the base of the aquifer.

Except as noted above, there are no records of current contamination assessment or remediation issues on any of the other properties.

The information included in this review is based on the available information at the time of the review.

Tree Preservation

Area 52-40-31

Properties within this area contain tree resources. Any trees within sites that contain wetland resources will be regulated through a Class IV Wetland Permit. Any non-wetland tree resources may require a Miami-Dade County Tree Removal Permit prior to removal or relocation as per the requirements of Chapter 24-49 of the Code of Miami-Dade County.

Area 53-40-09

There are no tree resources issues within this subject area.

Area 53-40-15 and a portion of 53-40-14

The properties within this area may contain specimen-sized (trunk diameter 18 inches or greater) trees. Section 24-49.2(II) of the Code requires that specimen trees be preserved whenever reasonably possible. A Miami-Dade County Tree Removal Permit is required prior to the removal or relocation of any tree that is subject to the Tree Preservation and Protection provisions of the Code. Said Tree Removal Permit shall meet the requirements of Sections 24-49.2 and 24-49.4 of the Code.

Wetlands Resources

Wetlands Resources Section records indicate that portions of the subject area contain jurisdictional wetlands as defined by Chapter 24-5 of the Code of Miami-Dade County (the Code). Such determinations are made on a site by site basis, and any properties found to

contain jurisdictional wetlands after a review by this Section will require a Class IV Wetland Permit for any work proposed as per the requirements of Section 24-48 of the Code.

Permits from the Army Corps of Engineers, the Florida Department of Environmental Protection and the South Florida Water Management District may also be required.

Natural Forest Community

The subject area does not contain properties that are designated Natural Forest Communities by Miami-Dade County.

Review and approval or disapproval of development orders

DERM will continue to provide approval or disapproval of development orders as required by Chapter 24 of the Code. This includes the following:

- Building Permits
- Zoning Actions
- Platting Actions (Land Subdivision)
- Building Occupancies (Residential and Nonresidential)
- Municipal Occupational Licenses

DERM reviews applications for consistency with the requirements of the Code. The review includes but is not limited to the following:

- Protection of public potable water supply wellfields
- Potable water supply
- Liquid waste disposal
- Stormwater management and disposal
- Tree resources preservation and protection
- Wetland preservation and protection
- Coastal resources preservation and protection
- Air quality requirements
- Flood protection

Operating Permits

Section 24-18 of the Code authorizes DERM to require permits for any facility that could be a source of pollution. This includes a wide variety of nonresidential activities or facilities and some ancillary operations to residential land uses.

Pollution Prevention and Educational Programs

The DERM Office of Environmental Education and Communication (EECO) is responsible for promoting and coordinating pollution prevention programs, waste minimization programs, urban CO₂ reduction and environmental education in general. The EECO can be contacted at (305-372-6784).

Enforcement Activities

These include regular inspections of permitted facilities as well as of any potential source of pollution, responses to complaints and general enforcement operations.

DERM's regulatory activities are enforceable under County Code in both incorporated and unincorporated areas and DERM currently provides the above services to the subject area. Annexation of the parcels in question will not affect DERM's ability to provide adequate levels of service to the areas being annexed or to the areas adjacent to the parcels being annexed.

Public Works

The County has identified approximately 26.0 lane miles within the Town of Medley Annexation Application Area. The County is proposing to keep the following corridors:

- NW 106 Street from the HEFT ramps to NW 107 Avenue
- NW 107 Avenue from NW 106 Street to NW 122 Street
- NW 74 Street from NW 97 Avenue to NW 87 Avenue
- NW 97 Avenue from NW 74 Street to NW 90 Street
- NW 87 Avenue from NW 74 Street to NW 90 Street
- NW 58 Street from NW 87 Avenue to SR 826 Ramps
- NW 74 Street from NW 87 Avenue to NW 84 Avenue
- NW 74 Street from NW 74 Avenue to NW 72 Avenue
- NW 87 Avenue from NW 58 Street to NW 74 Street
- NW 72 Avenue from SR 934 to NW 74 Street

Of the 26.0 lane miles in the annexation area, the corridors listed above represent 9.2 lane miles. In conjunction with the annexation, an interlocal agreement between the Town and the County will be negotiated to turn over the local roads within the annexation area and detail the roads that will remain with the County.

Park and Recreation

There is one Miami-Dade Park and Recreation Department (MDPR) property within the Medley Annexation Application Area. The Manufacturers Industrial Park, a 0.37 acre area-wide greenway is located in the proposed annexation area. This property was dedicated as a linear park. There is a Water Main/Line Easement on the eastern portion of the property. MDPR has provided an access agreement to the benefit of Blocks 9 & 10, renewable year to year and revocable at the discretion of MDPR. Should the annexation be approved, this park would be deeded over to the Town through an interlocal agreement.

Annexation Guidelines:

The following analysis addresses the factors required for consideration by the Planning Advisory Board pursuant to Chapter 20-6 of the County Code. Will the annexation:

1. Divide a historically recognized community:

The proposed annexation area is located entirely located outside a 2000 Census Designated Place (CDP)

2. Will if approved result in an annexation area that is compatible with existing planned land uses and zoning of the municipality to which the area is proposed to be annexed:

Approximately 50 percent of the land within the Town of Medley and the proposed annexation area are currently in industrial use. The existing land uses in the proposed annexation area are commercial, office, transient residential, industrial, institutional, and transportation/ communication/utilities, undeveloped, and inland waters. The existing land uses within the Town of Medley are similar to those in the proposed annexation area except that there are no residential uses within the proposed annexation area.

The existing underlying zoning in the proposed annexation area is: GU, Interim; IU-2, Heavy Industrial; and IU-3, Unlimited Industrial. This zoning pattern is similar to that of the Town where the M-1 and M-3 industrial zoning districts prevail.

3. Preserve, if currently qualified, eligibility for any benefits derived from inclusion in federal or state enterprise zones, or targeted area assistance provided by federal, state, and local government agencies:

The annexation area will have no affect on the State Enterprise Zone or on the entitlements since these areas are not in the EZ or in CDBG eligible block groups.

4. Impact public safety response times:

Fire and Rescue: The proposed annexation will not impact MDRF service delivery and/or response time. Currently, the area is served as part of the Unincorporated Municipal Service Area (UMSA). If the annexation is approved, this area would be served by the same stations and resources within the Fire District.

Police: In the event the annexation application is successful, the total service area within the UMSA will be reduced. Conversely, departmental resources would then be reallocated from the annexed area to the remaining portions of UMSA. As a result of this reallocation, response times within UMSA would be reduced accordingly. However, due to continual incorporation and annexation endeavors, the full impact upon UMSA is yet to be determined.

5. Introduce barriers to municipal traffic circulation due to existing security taxing districts, walled communities, and/or private roads:

The Miami-Dade County Public Works Department (PWD) has determined that the proposed annexation does not introduce any barriers to municipal traffic circulation.

PWD policies dictate retention of full and half section line roadways and other principal highways as County-maintained facilities. Additionally, bicycle trails may be proposed within the annexation area, which would be County bicycle facilities. The Metropolitan Planning Organization Bicycle-Pedestrian Coordinator and the Miami-Dade Public Works Traffic Engineering Division should be contacted for additional information.

PWD will retain Traffic Engineering jurisdiction over all streets within the annexation area, with the exception of state roads.

6. Result, to the degree possible, in an annexation area served by the same public service franchises, such as cable and communications services, as the existing municipality, or with full access to all available municipal programming through its franchise provider(s):

The proposed annexation will continue to be served by the same cable television and telecommunication operators as before but may be subject to change as a result of competition. Pursuant to state law which became effective July 1, 2007, Miami-Dade County no longer has the ability license new cable television companies and enforcement activities will be limited to Rights-of-Way issues only. Therefore the proposed annexation will not have an impact on our ability to enforce Rights-of-Way issues as per the Miami-Dade County Code should they arise. A list of new Cable

Franchise Certificates that may affect Miami-Dade County's Rights-of-Way can be found at <http://sunbiz.org/scripts/cable.exe>.

Telecommunications Service Providers are required to register with the County only if they have facilities located within the unincorporated areas. The purpose of the registration process is to determine users of the County's Rights-of-Way. Therefore, companies that have facilities within the proposed annexation area will no longer be required to register with the County. Municipalities requesting annexations will be responsible for managing its public thoroughfares.

Municipal programming is accomplished through separate agreements between municipalities and the cable operators providing services within their respective municipality. The cable operator's obligation to broadcast municipal meetings is outlined in these agreements. Technically, cable operators have the ability to add municipal programming to the proposed annexed areas if required.

7. If the area has been identified by the Federal Government as a flood zone or by emergency planners as an evacuation zone, has the existing municipality indicated its preparedness to address any extraordinary needs that may arise:

There are portions of the proposed annexation area located within the federally designated, 100-year floodplain. This area will flood under sustained rains and property owners within it are required to obtain flood insurance.

The proposed annexation area is not located within any County designated hurricane evacuation zone and residents of the area are not obligated to evacuate when hurricane warnings are issued.

8. Result in an annexation area connected to municipal government offices and commercial centers by public transportation:

There are three annexation area in Medley all being about one square mile each. The annexation area in the bounded by NW 106 St. and 122 St. has no transit service. The nearest route is Route 33 on NW 105 Cir., about 1.5 miles from the southeast corner of this area. The annexation area bounded by NW 74 St. and NW 90 St. has no transit service. The nearest route is Route 87 on NW 84 Av. and 74 St. and the Palmetto Metrorail Station on NW 79 Av. Metrorail serves several federal, state, and county government offices in downtown Miami and the Civic Center. The annexation area bounded by NW 58 St. and NW 74 St. is served by Route 87 which connects to Mall of the Americas, Dadeland Mall, and the Palmetto Metrorail Station.

9. To the degree possible, would the proposed annexation area be contained in one or more school district boundaries governing admission to elementary, middle and high school as the adjoining municipality:

The proposed annexation area is contained within the same school district boundaries as the adjoining unincorporated area and the Town of Medley. The schools serving the proposed annexation area are John I. Smith Elementary, Springview Elementary, Dr. Rolando Espinosa K-8 Center, Doral Middle, Miami Springs Middle, Hialeah Gardens Senior High, Ronald W. Reagan Senior High, and Miami Springs Senior High.

The following analysis addresses the factors required for consideration by the Board of County Commissioners and the Planning Advisory Board pursuant to Chapter 20-7 of the County Code.

1. The suitability of the proposed annexation boundaries, in conjunction with the existing municipality, to provide for a municipal community that is both cohesive and inclusive.

- a) Does the area divide a Census Designated Place (an officially or historically recognized traditional community)?

The proposed annexation area does not divide a Census Designated Place (CDP).

- b) Have any adjacent unincorporated areas with a majority of ethnic minority or lower income residents petitioned to be in the annexation area?

No adjacent unincorporated areas have a majority of ethnic minority or lower income residents that have petitioned to be in the annexation area.

- c) The area is not, nor does not create, an unincorporated enclave area (surrounded on 80 percent or more of its boundary by municipalities) that cannot be efficiently or effectively served by the County.

The proposed annexation area is not an enclave. As described in Section (d) below, the proposed annexation is divided into four areas. Although not technically an enclave, and as shown in Attachment A, the westernmost area of the proposed annexation is located within an unincorporated pocket bound by the Town of Medley, the City of Doral the Homestead Extension of the Florida Turnpike and the Urban Development Boundary. The Town is only applying to annex half of the unincorporated pocket.

Approval of the proposed annexation would also result in the creation of an enclave south of NW 74th Street; if a recently submitted annexation application by the City of Doral is not approved.

- d) The boundaries are logical, consisting of natural, built, or existing features or city limits.

As shown in Figure 1 (Page 7), the boundaries are logical and follow major roadways. The proposed annexation area is divided into four areas. The northern most area is bounded on the north and west by the municipal boundary of the Town of Medley, on the south by NW 106 Street and on the west by the Homestead Extension of the Florida Turnpike (HEFT). The second area is bounded on the north and east by the municipal boundary of the Town of Medley, on the west by NW 97 Avenue and the City of Doral and on the south by NW 74 Street. The third area is bounded on the north by the municipal boundary of the Town of Medley, on the west by NW 87 Avenue, on the south by NW 58 Street and on the east by SR 826/Palmetto Expressway. The fourth area is bounded on the north by the municipal boundary of the Town of Medley, on the east by NW 72 Avenue, on the west and south by south by SR 934.

- The existing and projected property tax cost for the municipal-level service to the average homeowners in the area currently as unincorporated and as included as part of the annexing municipality.

The taxable value within the annexation area is \$937,469,317. At the current Town of Medley millage rate (5.65 mills), the ad valorem revenues attributable to the annexation area would be \$5,031,867. At the current UMSA millage rate (2.0083 mills), the ad valorem revenues attributable to the annexation area would be \$1,788,584. The expected tax increase to the area if the annexation is approved would be 3.6417 mills and \$3,243,283. The average property owner in the annexation area would pay an additional \$4,837.

Existing and Projected Property Tax Cost		
Town of Medley FY 2009-10		
	Millage Rate	Millage x Taxable Value
Medley		
Municipal Millage	5.65	\$5,031,867
Unincorporated Area		
UMSA Millage	2.0083	\$1,788,584
Increase	3.6417	\$3,243,283

- Relationship of the proposed annexation area to the Urban Development Boundary (UDB) of the County's Comprehensive Development Master Plan.

As shown in the attached map, the entire annexation area is located inside the 2015 UDB of the County's Comprehensive Development Master Plan (CDMP).

- The impact of the proposal on the revenue base of the unincorporated area and on the ability of the County to efficiently and effectively provide services to the adjacent remaining unincorporated areas?

The total taxable value of the annexation area is \$937,469,317. The area generates an estimated \$2,131,038 in revenue. The County spends an estimated \$1,446,458 per year providing services to the area. Therefore, the net revenue loss to the UMSA budget is an estimated \$684,581 (Attachment B).

Pursuant to Section 20-8.1 and 20-8.2 of the County Code, the County retains all franchise fees and utility tax revenues generated in the area. For the proposed annexation, franchise fees of an estimated \$321,131 and utility taxes of an estimated \$404,664 will be retained by the County.

Within the annexation area, there are approximately 40 parcels that are vacant. These parcels are zoned for industrial and commercial uses. If the remaining vacant land is

developed in similar fashion to the existing developed land, it is estimated that the taxable value within this area may increase over \$250 million, which at today's UMSA millage rate would generate approximately \$477,500, creating a greater revenue loss to UMSA.

5. The fiscal impact of the proposed annexation on the remaining unincorporated areas of Miami-Dade County? Specifically, does the per capita taxable value of the area fall within the range of \$20,000 to \$48,000?

There are only 21 residents within the annexation area, therefore the per capita taxable value is not valid.

6. Be consistent with the land Use Plan of the County's Comprehensive Development Master Plan (CDMP)?

According to the Adopted 2015-2025 Land Use Plan (LUP) map of the County's Comprehensive Development Master Plan (CDMP), the planned land use designations within the proposed annexation area are "Industrial and Office", "Restricted Industrial and Office" and "Transportation". A brief description of these CDMP land uses follows:

The "Industrial and Office" land use designation allows manufacturing operations, maintenance and repair facilities, warehouses, mini-warehouses, office buildings, wholesale showrooms, distribution centers and similar uses. Also included are construction and utility-equipment maintenance yards, utility plants, public facilities, hospitals and medical buildings. The full range of telecommunication facilities, including switching and transmission facilities, satellite telecommunications facilities, microwave towers, radar stations and cell towers are also allowed. Very limited commercial uses to serve the firms and workers in the industrial and office area are allowed dispersed as small business districts and centers throughout the industrial areas. Hotels and motels are also authorized.

Uses allowed in the "Restricted Industrial and Office" category are restricted and the design of facilities is governed by special ground water protection regulations. The CDMP indicates that development in Restricted Industrial and Office areas should generally be limited to office uses, but certain business, warehousing, and manufacturing uses may be permitted, provided that the use employs best management practices, and the use does not involve the on-site use, handling, storage, manufacture or disposal of hazardous materials or waste as defined in Chapter 25 of the County Code. Provisions of the "Industrial and Office" category which allow and limit residential and business uses, TNDs and hotels may also apply to the Restricted category. Quarrying and environmentally compatible ancillary uses may also be approved in these areas.

The "Transportation" land use designation includes all major components of the Miami-Dade County's existing and future transportation network including roadways and transit corridors.

7. Does the proposed annexation area include areas designated as terminals on the County's Adopted Land Use Plan Map?

There are not terminals within the proposed annexation area.

Demographic Profile of the Area

The estimated 2000 Census population of the proposed annexation area is 21 persons while the Town of Medley's population is 1,098 persons. The table below shows that the predominant group within the proposed annexation area is Hispanic with approximately 57 percent of the population being of Hispanic origin and the Hispanic population within the municipal boundaries is over 72 percent.

Medley Proposed Annexation Area Social and Economic Characteristics Medley Area and Miami-Dade County			
	Study Area	Town of Medley	Miami-Dade
<u>Population Characteristics, 2000*</u>	21	1,098	2,253,362
Percent White, Not Hispanic	23.8	18.0	20.7
Percent Black, Not Hispanic	19.0	6.8	19.0
Percent Other, Not Hispanic	0.0	2.6	3.0
Percent Hispanic Origin	57.1	72.6	57.3
<u>Income**</u>			
Median Household Income	--	\$23,167	\$35,966
Per-capita Income	--	\$11,955	\$18,497
<u>Housing</u>	12	387	852,278
Percent Vacant	16.7	6.2	8.9
Percent Occupied	83.3	93.8	91.1
Percent Owner Occupied	30.0	69.4	57.8
Percent Renter Occupied	70.0	30.6	42.7

Source: U.S. Census Bureau, Census 2000 Summary File 1 and Summary File 3.
Miami-Dade County, Department of Planning & Zoning, Research Section, 2010.

Note: The Medley Annexation Area is comprised of Census Blocks for which no income data and limited housing characteristics is available.

Development Profile of the Area

Shown in the table below is the 2010 land use profile for the 1,799.4 acres within the proposed annexation area. In general, the table shows that:

- There is no residential land within the proposed annexation area and only 0.9 percent of the land within the Town is in residential use;
- Approximately 50 percent of the lands within the proposed annexation area and 50 percent of the lands within the Town are in industrial use;
- Approximately 30 percent of the proposed annexation area is inland waters.

Included within the proposed annexation area are a 488-acre cement plant and a 552-acre lake.

**Medley Annexation Area
2010 Existing Land Use**

Land Use	Annexation Area (Acres)	Annexation Area (Percent Of Total)	Medley (Area Acres)	Medley (Percent of Total)	Miami-Dade County (Acres)	Miami-Dade County (Percent of Total)
Residential	0.0	0.0	33.8	0.9	109,394.9	7.0
Commercial & Office & Transient Residential	24.1	1.3	59.1	1.6	14,686.6	0.9
Industrial	892.8	49.6	1,896.2	50.2	17,533.5	1.1
Institutional	1.0	0.1	7.4	0.2	14,204.8	0.9
Parks/Recreation	0.0	0.0	0.8	0.0	802,757.0	51.3
Transportation, Communication, Utilities	200.2	11.1	723.7	19.2	87,457.4	5.6
Agriculture	0.0	0.0	0.0	0.0	61,444.9	3.9
Undeveloped	157.5	8.8	418.7	11.1	137,172.6	8.8
Inland Waters & Coastal Water Bays and Oceans	523.8	29.1	634.5	16.8	318,963.4	20.4
Total:	1,799.4	100.0	3,774.2	100.0	1,548,712.6	100.0

Source: Miami-Dade County Department of Planning and Zoning, Research Section January, 2010

SUMMARY OF ISSUES FOR CONSIDERATION

Although not technically an enclave, the westernmost area of the proposed annexation is located within an unincorporated pocket bound by the Town of Medley, the City of Doral, the Homestead Extension of the Florida Turnpike and the Urban Development Boundary. The Town is only applying to annex half of the unincorporated pocket.

If the annexation is approved, the revenue loss to the unincorporated area as a result of the annexation is estimated at \$684,581. Additionally, there are approximately 40 parcels that are vacant which are zoned for industrial and commercial uses. If the remaining vacant land is developed in similar fashion to the existing developed land, it is estimated that the taxable value within this area may increase over \$250 million, which at today's UMSA millage rate would generate approximately \$477,500, creating a greater revenue loss to UMSA.

Approval of the proposed annexation would also result in the creation of an enclave south of NW 74th Street; if a recently submitted annexation application by the City of Doral is not approved.

There are two parcels, (folios 30-3014-010-0510 and 30-3014-010-0520) owned by Miami-Dade Water and Sewer Department that are partially located in both the Town of Medley proposed annexation area, as well as the City of Miami Springs proposed annexation area.

As a condition of annexation, the Municipality of Medley through an interlocal agreement with the County, shall agree that the proposed annexation area remain within the Miami-Dade Fire Rescue District in perpetuity.

Attachments:

- A. Map of proposed annexation
- B. Estimated Impact on UMSA Budget Statement

c: Jennifer Glazer-Moon, Director, Office of Strategic Business Management

**Medley Annexation
Estimated Impact on UMSA Budget**

Based on FY 09-10 Budget	Annexation Assumptions	
Property Tax Revenue	Allocation based on tax roll & millage	\$1,810,000
Franchise Fees	County Retains Revenues	
Sales Tax	Allocation based on \$61.79 per person	\$1,298
Utility Taxes	County Retains Revenues	
Communications Tax	Allocated based on tax roll/population	\$299,780
Alcoholic Beverage License	Allocation based on \$0.24 per person	\$5
Occupational License	Allocation based on \$1.72 per person	\$38
Interest	Allocation based on 1.31% of total revenue	\$19,908
Miscellaneous Revenues	Allocation based on \$0.45 per person	\$9
Revenue to UMSA		\$2,131,038
Cost of Providing UMSA Services		
Police Department		\$1,130,852
UMSA Police Budget (without specialized)	\$298,967,563	
Park and Recreation Dept	Based on cost of parks	\$7,500
Public Works		
Centerline Miles	Centerline miles times cost per lane mile	\$43,394
Planning, Neighborhood Compliance and others	Direct cost times 11.7%	\$138,264
QNIP (pay-as you-go)	Utility Taxes as a % of debt service 15.5%	\$0
Policy Formulation/Internal Support	Direct cost times 10.7%	\$126,447
Cost of Providing UMSA Services		\$1,446,458
Net to UMSA		\$684,581
<p>1. Does not include gas tax funded projects 2. Does not include canal maintenance revenues or expenses 3. Does not include proprietary activities: Building, Zoning, Solid Waste 4. Does not include Fire and Library Districts 5. Revenues are based on allocations not actuals</p> <p>Disclaimer: These calculations do not represent a projected or suggested municipal budget. They indicate only the fiscal impact of this area's incorporation on the remaining UMSA.</p>		
2009 Taxable Property Rolls		\$937,469,317
2000 Area Census Population		21
2009 UMSA Population		1,081,014
2009-10 UMSA Millage		2.0083
Patrollable Sq. Miles - UMSA (post Cutler Bay)		443.53
Total Calls For Service - UMSA 2008		654,181
Part 1 Crimes - UMSA 2008		58,638
Part 2 Crimes - UMSA 2008		22,546
Patrollable Sq. Miles - Study Area		2.78
Total Calls for Service - Study Area		2,890
Part 1 Crimes - Study Area		242
Part 2 Crimes - Study Area		92
Cost per Centerline Mile		\$2,583
Number of Centerline Miles		16.8
Per Capita Taxable Value		\$44,641,396.05